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Before the
Federal Communications Commission
Washington, D.C. 20554

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JUL 31 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF RECORDS

In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the) MM Docket No. 87-268
Existing Television Broadcast)
Service)

TO: The Commission

**REPLY TO GUY GANNETT COMMUNICATIONS'
OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION
OF MIDWEST TELEVISION, INC.**

Midwest Television, Inc. ("Midwest"), licensee of station WCIA(TV), NTSC Channel 3, Champaign, Illinois, hereby submits this reply to the Opposition to Petition for Reconsideration filed by Guy Gannett Communications ("Guy Gannett") on July 18, 1997, which opposes Midwest's petition "to the extent that Midwest seeks a new DTV allotment for WBBM-TV in Chicago."^{1/} Midwest's petition was based on legitimate concerns regarding the new interference WBBM-TV's DTV operations would cause to WCIA(TV)'s existing viewers. Guy Gannett's opposition appears to be merely

^{1/} Opposition to Petition for Reconsideration filed by Guy Gannett Communications, MM Docket No. 87-268 (July 18, 1997) ("Guy Gannett Opposition") at 2. WBBM-TV was assigned DTV Channel 3 in Chicago.

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a vehicle for casting aspersions and false accusations upon Midwest, and should be dismissed.

Midwest filed its petition based on an engineering analysis demonstrating that WBBM-TV's co-channel DTV operations would cause a substantial amount of new interference to the public's existing service from WCIA(TV)'s NTSC operations in Champaign. The engineering analysis found that WBBM-TV's Channel 3 DTV operations would cause harmful interference over a 5,656 square kilometer area within WCIA(TV)'s NTSC Grade B contour, causing interference for approximately 95,000 people (35,000 households). Interference from WBBM-TV's DTV operations would compound interference problems from existing NTSC operations already plaguing a significant portion of WCIA(TV)'s viewers, and would result in interference to approximately 28,000 people (11,000 households) within an area of about 2,450 square kilometers who currently enjoy interference-free service.^{2/}

Based on the substantial public harm resulting from this new interference, Midwest petitioned the Commission for relief. Specifically, Midwest urged a regional approach for addressing the interference problems faced by WCIA(TV) and other NTSC stations in this region, and pledged its participation in the effort to identify and implement such a solution. Guy Gannett's statement that "a regional solution is

^{2/} Petition for Partial Reconsideration of Midwest Television, Inc., MM Docket No. 87-268 (June 13, 1997) ("Midwest Petition") at Appendix 2.

preferable to Midwest's attempt to force WBBM-TV to relocate its DTV channel" thus plainly mischaracterizes Midwest's position.^{3/}

Guy Gannett notes in its opposition that CBS, Inc. (licensee of WBBM-TV) itself submitted a petition for reconsideration seeking a new DTV channel for WBBM-TV, citing co-channel interference problems with WCIA(TV).^{4/} Guy Gannett does not oppose the CBS petition and explicitly notes that the remedy sought by the CBS petition and the remedy sought by the Midwest petition are "equivalent."^{5/} Despite this acknowledged parity of interests, Guy Gannett insists that "Midwest's petition attempts to shift the burden to WBBM-TV of resolving the supposed interference problem and of demonstrating that Midwest's proposal is unacceptable."^{6/} Guy Gannett's position is nonsensical and attempts to create a conflict where none exists.

Guy Gannett goes on to assert that Midwest's "true motive appears to be to remain operating on Channel 3 outside of the Commission's anticipated core spectrum and to delay the transition to digital television."^{7/} This accusation has no basis in fact. Midwest has demonstrated consistently its commitment to a rapid DTV transition.

^{3/} Guy Gannett Opposition at 3.

^{4/} Id. at 2 n.1. See also Petition of CBS Inc. for Partial Reconsideration of the Sixth Report and Order, MM Docket No. 87-268 (June 13, 1997) at 7.

^{5/} Guy Gannett Opposition at 2 n.1.

^{6/} Id. at 2.

^{7/} Id. at 4.

Among other things, Midwest has joined a number of industry pleadings dating back several years designed to facilitate the development and implementation of digital television services.^{8/} Midwest's concern about interference to its NTSC service has no bearing on its willingness to implement a quick transition to digital television.^{9/} WCIA(TV) is fully prepared to move forward in the DTV implementation process with all due speed.

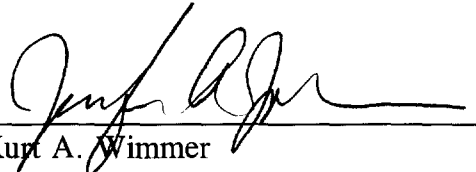
Indeed, it is Guy Gannett's motives that are suspect. Guy Gannett's opposition provides nothing of substance to assist the Commission in evaluating or resolving the interference problems resulting from the DTV assignments of WBBM-TV and other stations in the region which harm the public by disenfranchising a substantial

^{8/} See, e.g., Joint Broadcaster Comments, MM Docket No. 87-268 (Jul. 17, 1992); Joint Broadcaster Comments, MM Docket No. 87-268 (Nov. 16, 1992); Joint Broadcaster Comments, MM Docket 87-268 (Nov. 20, 1995); Joint Broadcaster Reply Comments, MM Docket No. 87-268 (Jan. 22, 1996); Joint Broadcaster Comments, MM Docket No. 87-268 (Jul. 11, 1996); Joint Broadcaster Comments, MM Docket No. 87-268 (Nov. 22, 1996); Petition for Clarification and Partial Reconsideration of the Fifth and Sixth Reports and Orders Submitted by the Association for Maximum Service Television, Inc., the Broadcasters Caucus and Other Broadcasters, MM Docket No. 87-268 (June 13, 1997).

^{9/} Moreover, there are scores of NTSC stations on Channels 2-6 who want the flexibility at the conclusion of the DTV transition to use their NTSC channels for digital television service because of the wide-area service they provide and their efficiency. There is nothing suspect or dilatory about this position.

number of existing viewers. For the above-stated reasons, Guy Gannett's opposition should be dismissed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kurt A. Wimmer", is written over a horizontal line.

Kurt A. Wimmer
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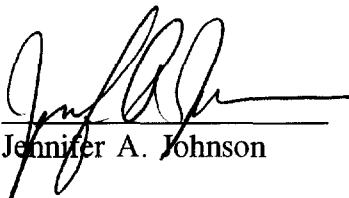
July 31, 1997

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply to Guy Gannett Communications' Opposition to Petition for Partial Reconsideration of Midwest Television, Inc. has been served by first-class mail, postage prepaid, this 31st day of July, 1997 on:

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